

# PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: BAUS

In re Application of:	)	
JÜRGEN BAUS, ROLF-DIETER PAVLIK, GERNOT ROSSI & FRANK VOLKMANN	)	
Appl. No.: 10/822,227	)	Group Art Unit: 2151
Filed: April 9, 2004	)	Confirmation No.: 1320
For: METHOD AND DEVICE FOR DATA TRANSMISSION	)	

## SECOND INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the following references A) to C) which were cited in a German Office Action. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

	Country:	Patent or Appl. No:	Patentee or Applicant:	Issue or Filing Date:
A)	Germany	DE 698 05 952 T2	Schneider	03-18-1999
B)		"Automatic Configuration for Remote Diagnosis and....", 1999		
C)		"DI.SY.RE. – A Demonstrater for Distributed Industrial....", 2002		

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

- ☐ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☒ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.
- ☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.
- ☐ The undersigned submits the following statement requesting consideration of this statement:  
The undersigned hereby states:
  - ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
  - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement

after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ The fee of \$180.00 set forth in 1.17(p).
- ☐ The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In addition, applicant notes with respect to any information that is not in English language as follows:

With respect to reference A), an English-language Abstract is enclosed.

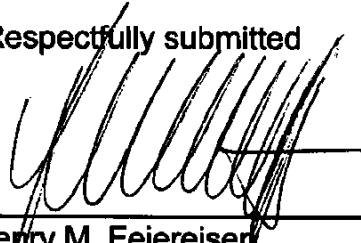
The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted

By: \_\_\_\_\_

  
Henry M. Feiereisen  
Agent for Applicant  
Reg. No. 31,084

Date: September 26, 2006  
350 Fifth Avenue, Suite 4714  
New York, N.Y. 10118  
(212) 244-5500  
HMF/WS:af

Substitute for form 1449A/PTO

(use as many sheets as necessary)

**Complete If Known**

Application Number	10/822,227
--------------------	------------

Filing Date	April 9, 2004
-------------	---------------

First Named Inventor	Jürgen Baus
----------------------	-------------

Art Unit	2151
----------	------

Examiner Name \_\_\_\_\_

Attorney Docket Number	BAUS
------------------------	------

Sheet	1	of	2
-------	---	----	---

[illegible][illegible]

**Examiner  
Signature**

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kind's Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

**If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet	2	of	2
-------	---	----	---

**Complete if Known**

Application Number	10/822,227
Filing Date	April 9, 2004
First Named Inventor	Jürgen Baus
Art Unit	21 511
Examiner Name	
Attorney Docket Number	BAUS

#### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

[illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

***If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.***